

No. dated

Forwarded (four copies) to the Secretary, to Government Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 9416-4Lab.77/25383.—In pursuance of the provisions of Section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad, in respect of the dispute between the workmen and the management of M/s. Bharat Carpet Limited, Gurukul Industrial Area, P. O. Amar Nagar, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL
TRIBUNAL, HARYANA, FARIDABAD

Reference No. 82 of 1976

between

THE WORKMEN AND THE MANAGEMENT OF M/S BHARAT CARPETS LIMITED,
GURUKUL INDUSTRIAL AREA, P. O. AMAR NAGAR, FARIDABAD

Present :—

Nemo for the workmen.

Shri D. C. Chadha, for the management.

AWARD

By order No. ID/FD/63-B-76/17319, dated 17th May, 1976, the Governor of Haryana, referred the following dispute between the management of M/s Bharat Carpets Limited, Gurukul Industrial Area, P. O. Amar Nagar, Faridabad and its workman to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) sub-section (1) of section 10 of the Industrial Disputes Act, 1947.

Whether the workmen are entitled to the grant of Bonus at a higher rate than 4 per cent declared by the management for the year 1974-75? If so, with what details?

On receipt of the reference, notice were issued to the parties. The parties appeared and put in their pleadings. On the pleadings of the parties, the following issues were framed on 8th February, 1977.

Whether the workman are entitled to grant of bonus at a higher rate than 4% declared by the management for the year 1974-75? If so, with what details?

The case was fixed for the evidence of the workmen on 28th March, 1977. On 28th March, 1977 the representative for the workmen prayed for adjournment which was granted and the case was fixed for 28th April, 1977 for the evidence of the workmen. Again on 28th April, 1977 the workmen prayed for adjournment as their evidence was not ready. Again adjournment was granted fixing the case on 24th May, 1977. On 24th May, 1977 the representative of the workmen Shri Chaman Lal Oberoi did not appear but Shri Pritam Singh the General Secretary of the union appeared. The General Secretary of the union again prayed for adjournment which was again granted fixing the case on 6th July, 1977. On 6th July, 1977 also, the representative for the workmen prayed for adjournment. It was again granted and the case was fixed for 19th August, 1977. On 19th August, 1977 the representative for the workmen stated that there was some negotiating for a settlement and he prayed for adjournment for adducing their evidence. It was again granted and the case was fixed for today i. e. on 31st August, 1977. Today none appeared for the workmen, neither the authorised representative nor any person or office bearer of the union appeared. The representative for management appeared. The representative for the management stated that he has filed balance sheet for the year 1973-74 marked 'A' and for the year 1974-75 marked 'B'. He also filed a statement showing computation of gross profit marked 'C'. He prayed that the dispute be decided *ex parte* and the documents of the management be considered.

I have even gone through the proceedings. The representative for the workmen has taken 5/6 adjournments for adducing their evidence and could adduce nil and today none appeared for the workmen.

I have considered the balance sheet marked A and D and the statement of computation of profit marked 'C' filed by the management. The learned representative for the management drew my attention to section 23 of the Payment of Bonus Act, 1965 and argued that the statement and particulars contained in them are presumed to be correct under that section. I have seen the statement showing computation of gross profit marked 'C'. According to it the gross profits for purpose of bonus amounted to Rs. 11,73,999. Then the total amount shown against computation of available surplus is Rs. 13,74,428 and thus there is deficit of Rs. 2,00,429. The amount of difference between direct Tax on gross profit, less amount of bonus paid payable for the previous year as per section 5(b) is shown to be Rs. 1,47,009. After addition of this amount of Rs. 1,47,009, there is still deficit of Rs. 55,420. Therefore, the workmen are not entitled to bonus at higher than 4% declared by the management.

From the *ex parte* evidence of the management, I am of the opinion that the workmen are not entitled to the grant of bonus at a higher rate than 4% declared by the management for the year 1974-75. I, therefore, give my award as follows:—

That the workmen are not entitled to the grant of bonus at the higher rate than 4% declared by the management for the year 1974-75. This Award is *ex parte* against the workmen based on the documents produced by the management, statements and particulars whereof remaining un-rebutted by the default of non-appearance by the workmen.

Dated the 31st August, 1977.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 778, dated the 31st August, 1977.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under Section 15 of the Industrial Disputes Act, 1947.

Dated the 31st August, 1977.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 9430-4Lab-77-25389.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad, in respect of the dispute between the workmen and the management of M/s Indira Steel, Private Limited, Sector-6, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 156 of 1976.

between

SHRI MAN SINGH, WORKMAN AND THE MANAGEMENT OF M/S INDIRA STEEL,
PRIVATE LIMITED, SECTOR-6, FARIDABAD.

Present :—

Shri Sunhari Lal, for the workman.

Shri M. L. Sochdev, and Shri R.K. Aggarwal,
Managing Director for the management.

AWARD

By order No. ID/FD/947-A-76/26/37, dated 2nd August, 1976, the Governor of Haryana, referred the following dispute between the management of M/s Indira Steel, Private Limited, Sector-6, Faridabad and its workman Shri Man Singh, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947.

Whether the termination of services of Shri Man Singh was justified and in order? If not, to what relief is he entitled?

On receipt of the reference, notices were issued to the parties. The parties appeared and put in their pleadings. The parties had stated that the matter involved in the dispute was similar, hence they should be consolidated in two sets, hence it was done so. References Nos. 156, 157, 158, 160, 161, 162, 163 and 165 to 170 were consolidated in one set, whereas the references Nos. 153, 155, 159, 164, 154, 152, were consolidated in one set. The cases were then fixed for the evidence of the management. On 28th July, 1977, the parties reached a compromise and settled their dispute and made statements before this Tribunal. The management paid a sum of Rs. 300 to the workman concerned in full and final settlement before the court and the workman concerned received the same. The workman concerned abandoned his claim of reinstatement and re-employment. It was also settled between the parties that the recovery proceedings pending in the court of the Judicial Magistrate Ist Class, Ballabgarh, shall be withdrawn by the workman concerned and shall be deemed as having been satisfied and that no dispute remained unresolved between the parties. I, therefore, give my award as follows :—

- (1) That the workman concerned has received a sum of Rs. 300 in full and final settlement to the dispute.
- (2) That the workman shall have no right to the reinstatement and re-employment with the management.
- (3) That the proceedings of recovery in the court of the Judicial Magistrate I Class, Ballabgarh, shall be with-drawn by the workman and that amount shall be deemed as having been received by the workman and his recovery proceedings shall be deemed as satisfied.
- (4) That the termination of services of the workman concerned was justified and in order. He is not entitled to any other relief.

NATHU RAM SHARMA,

The 18th August, 1977.

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 789, dated 31st August, 1977

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under Section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

The 18th August, 1977.

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 9434-4Lab-77/25395.—In pursuance of the provisions of Section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana, is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad, in respect of the dispute between the workmen and the management of M/s Indira Steel Private Limited, Sector-6, Faridabad :—

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 152 of 1976

between

SHRI HARI SINGH, WORKMAN AND THE MANAGEMENT OF M/S INDIRA STEEL
PRIVATE LIMITED, SECTOR-6, FARIDABAD

Present :

Shri Sunhari Lal, for the workman.

Shri M. L. Sachdev and Shri R. K. Aggarwal, Managing Director, for the management.

AWARD

By order No. ID/FD/947-A-76/26083, dated the 2nd August, 1976, the Governor of Haryana, referred the following dispute between the management of M/s Indira Steel Private Limited, Sector-6, Faridabad

and its workman Shri Hari Singh to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri Hari Singh was justified and in order ? If not, to what relief is he entitled ?

On receipt of the reference, notices were issued to the parties. The parties appeared and put in their pleadings. The parties had stated that the matter involved in the dispute was similar, hence they should be consolidated in two sets, hence it was done so. Reference Nos. 156, 157, 158, 160, 161, 162, 163 and 165 to 170 were consolidated in one set, whereas the reference Nos. 153, 155, 159, 164, 154, 152 were consolidated in one set. The cases were then fixed for the evidence of the management. On 28th July, 1977, the parties reached a compromise and settled their dispute and made statement before this Tribunal. The management paid a sum of Rs. 950 to the workman concerned in full and final settlement before the Court and the workman concerned received the same. The workman concerned abandoned his claim to reinstatement and re-employment. It was also settled between the parties that the recovery proceedings pending in the court of the Judicial Magistrate I Class, Ballabgarh, shall be withdrawn by the workman concerned and shall be deemed as having been satisfied and that no dispute remained unresolved between the parties. I, therefore, give my award as follows :—

- (1) That the workman concerned has received a sum of Rs 950 in full and final settlement to the dispute.
- (2) That the workman shall have no right to the reinstatement and re-employment with the management.
- (3) That the proceedings of recovery in the court of the Judicial Magistrate I Class, Ballabgarh shall be withdrawn by the workman and that amount shall be deemed as having been received by the workman and his recovery proceedings shall be deemed as satisfied.
- (4) That the termination of services of workman concerned was justified and in order. He is not entitled to any other relief.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

Dated the 18th August, 1977.

No. 793, dated the 31st August, 1977

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

Dated the 31st August, 1977.

No. 9696-4Lab-77/25397. —In pursuance of the provisions of Section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana, is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s Anil Industries Jagadhri.

BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK

Reference No. 7 of 1977

between

SHRI BISHAN DASS, WORKMAN AND THE MANAGEMENT OF M/S
ANIL INDUSTRIES, JAGADHRI.

Present :—

Shri Bishan Dass workman and the management of M/s Anil Industries Jagadhri.

AWARD

By order No. ID/AMB/530-A-76/1863, dated 18th January, 1977, the Governor of Haryana referred the following dispute between the management of M/s Anil Industries, Jagadhri and its

workman Shri Bishan Dass to this Court for adjudication, in exercise of the powers concerned by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

“Whether the termination of services of Shri Bishan Dass was justified and in order ? If not, to what relief is he entitled ?

Whereas the workman put in his appearance before me on 26th July, 1977 the date of hearing fixed in the case, in response to the usual notices of reference served on him, the management failed to appear on that date dispute such service with the result that *ex parte* proceedings were taken up against them and the workman was directed to adduce his *ex parte* evidence.

The workman appearing as his own witness deposed that he being in regular service of the management concerned on wages of Rs. 200 P. M., the later terminated his services w.e.f. 18th June, 1976 without sufficient cause and without holding any enquiry against him and he was as such entitled to reinstatement with full back wages and continuity service.

I, see no reasons to disbelieve the statement of the workman concerned particularly when the proceedings against the management are *ex parte* and they have not cared even to defend the demand raised on them by the workman leading to this reference.

I, thus relying on the statement of the workman concerned hold that his termination of his services w.e.f. 18th June, 1976 by the management was unjustified and that he is entitled to reinstatement with continuity of service and full back wages. I, answer the reference while returning the award in these terms.

Dated the 7th September, 1977

MOHAN LAL JAIN,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 1905, dated the 9th September, 1977.

Forwarded (four copies) to Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

MOHAN LAL JAIN,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 9453-4Lab-77/25401.—In pursuance of the provisions of Section 17 of the Industrial Disputes Act, 1974 (Act No. XIV of 1947), the Governor of Haryana, is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad, in respect of the dispute between the workman and the management of M/s. Haryana Coated Papers Limited, 14/1 Milestone Mathura Road, Faridabad.

BEFORE SHRI NATHU RAM, SHARMA, PRESIDING OFFICER, INDUSTRIAL
TRIBUNAL, HARYANA, FARIDABAD

Reference No. 183 of 1976

between

SHRI SOHAN PAL SINGH, WORKMAN AND THE MANAGEMENT OF M/S HARYANA
COATED PAPERS LIMITED, 14/1 MILESTONE, MATHURA ROAD,
FARIDABAD

Present :—

Shri Chaman Lal Oberoi, for the workman.

Shri S. L. Gupta, for the management.

AWARD

By order No. ID/FD/1064-A-76/32586, dated 1st September, 1976, the Governor of Haryana, referred the following disputes between the management of M/s. Haryana Coated Papers Limited,

14/1 Milestones, Mathura Road, Faridabad and its workman Shri Sohan Pal Singh, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri Sohan Pal Singh was justified and in order ? If not, to what relief is he entitled ?

On receipt of the reference, usual notices were given to the parties. The parties appeared and put in their pleadings. On the pleadings of the parties, the following issues were framed on 12th January, 1977 :—

1. Whether the termination of services of the workman was justified and in order ? If not, to what relief is he entitled ?
2. Whether the workman is gainfully employed elsewhere. Since when and at what wage and to what effect ?

The parties led their evidence and closed their case and the case was fixed for arguments were being heard and the case has been adjourned to 3rd October, 1977 for further arguments. But just after the parties has left the court room they came back and stated that the matter has been settled between them. They prayed that the dispute be decided as per settlement and compromise. Statement of the representative for the management and of the workmen and his representative were recorded. The representative of the management stated that the management was prepared to pay Rs. 1,000/- only to the workman concerned provided he gave up the dispute. He further stated that the workman shall also be paid all his legal dues due from the management plus 15 days wages in lieu of notice period wage. The workman and his representative agreed to this and stated that this agreement shall abide by them and that the workman shall receive this amount in full and final settlement and the workman shall have no right to reinstatement and re-employment. I give my award, in view of the above-said settlement as follows :—

That the workman concerned is entitled to receive from the management a sum of Rs. 1,000/- only in addition to his legal dues due from the management plus 15 days wages against notice period wage. The workman shall not be entitled to reinstatement and re-employment by the management. The payment of amount above stated shall be in full and final settlement of all his claim and dispute.

Dated the 2nd September, 1977.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

Endorsement No. 822, dated 1st September, 1977.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

Dated the 1st September, 1977

No. 9694-4Lab-77,25405.--In pursuance of the provisions of section 17 of the Industrial Disputes Act 1947 (Act No. XIV of 1947), the Governor of Haryana, is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s. Anil Industries, Jagadhari :—

BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK

Reference No. 2 of 1977

between

SHRI SUMER CHAND WORKMAN AND THE MANAGEMENT OF M/S. ANIL INDUSTRIES,
JAGADHARI

AWARD

By order No. ID/AMB/531-A-76/1857, dated 18th January, 1977, the Governor of Haryana, referred the following dispute between the management of M/s. Anil Industries Jagadhari and its workman Shri Sumer Chand, to this Court for adjudication, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

“Whether the termination of services of Shri Sumer Chand was justified and in order ? If not, to what relief is he entitled ?

Whereas the workman put in his appearance in this Court on 27th April, 1977 in response to the usual notices of reference sent to him, the management failed to appear on that date despite such notices with the result that *ex-parte* proceedings were taken up against and the workman was directed to adduce his *ex-parte* evidence.

The workman appearing as his own witness deposed that he being in service of the management on wages of Rs. 325/- P. M., the later terminated his services illegally without holding any enquiry and without sufficient cause with effect from 18th June, 1973 and that he was as such entitled to reinstatement with continuity of service and full back wages.

I, see no reasons to disbelieve the statement of the workman particularly when the proceedings against the management are *ex-parte* and they have taken no care to defend the demand raised on them by the workman leading to this reference.

I, accordingly relying on his statement hold that the termination of his services by the management was unjustified and that he is entitled to reinstatement with continuity of service and full back wages and answer the reference while returning the award in these terms.

MOHAN LAL JAIN,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

Dated the 7th September, 1977.

No. 1904, dated the 9th September, 1977.

Forwarded (two copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

MOHAN LAL JAIN,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

The 22nd September, 1977

No. 9440-4Lab-77/25491.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Government of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad in respect of the dispute between the workman and the management of M/s. Indira Steel, Private Limited, Sector 6r Faridabad :—

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD.

Reference No. 157 of 1976

between

SHRI SATVIR WORKMAN AND THE MANAGEMENT OF M/S. INDIRA STEEL
PRIVATE, LIMITED, SECTOR 6, FARIDABAD.

Present :—

Shri Sunhari Lal, for the workman.

Shri M. L. Sachdev and Shri R. K. Aggarwal, Managing Director, for the management.

AWARD

By order No. ID/FD/947-A-76/26077, dated 2nd August, 1976, the Governor of Haryana, referred the following dispute between the management of M/s Indira Steel, Private, Limited, Sector 6, Faridabad and its workman Shri Satvir to this Tribunal for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of services of Shri Satvir was justified and in order ? If not, to what relief is he entitled ?

On receipt of the reference, notices were issued to the parties. The parties appeared and put in their pleadings. The parties had stated that the matter involved in the dispute was similar, hence they should be consolidated in two sets, hence it was done so. References Nos. 156, 157, 158, 160, 161, 162, 163 and 165 to 170 were consolidated in one set, whereas the reference No. 153, 155, 159, 164, 154, 152, were consolidated in one set. The cases were then fixed for the evidences of the management. On 28th July, 1977, the parties reached a compromise and settled their dispute and made statements before this Tribunal. The management paid a sum of Rs. 570 to the workman concerned in full and final settlement before the Court and the workman concerned received the same. The workman concerned abandoned his claim of reinstatement and re-employment. It was also settled between the parties that the recovery proceedings pending in the court of the Judicial Magistrate, I class, Ballabgarh, shall be withdrawn by the workman concerned and shall be deemed as having been satisfied and that no dispute remained unresolved between the parties. I, therefore, give my award as follows :—

- (1) That the workman concerned has received a sum of Rs 570 in full and final settlement to the dispute.
- (2) That the workman shall have no right to the reinstatement and re-employment with the management.
- (3) That the proceedings of recovery in the court of the judicial Magistrate I class, Ballabgarh shall be withdrawn by the workman and that amount shall be deemed as having been received by the workman and his recovery proceedings shall be deemed as satisfied.
- (4) That the termination of services of the workman concerned was justified and in order. He is not entitled to any other relief.

Dated the 18th August, 1977.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 799, dated the 31st August, 1977.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

Dated the 31st August, 1977.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 9445-4Lab-77/25501.—In pursuance of the provisions of Section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947) the Governor of Haryana, is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad in respect of the dispute between the workmen and the management of M/s. Indira Steel, Private Limited, Sector-6, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD.

Reference No. 158 of 1976

between

SHRI HARI RAM, WORKMAN AND THE MANAGEMENT OF M/S. INDIRA STEEL, PRIVATE
LIMITED, SECTOR-6, FARIDABAD.

Present :—

Shri Sunhari Lal for the workman,

Shri M. L. Sachdev and Shri R. K. Aggarwal,

Managing Director for the management.

AWARD

By order No. ID/FD/947-A-76/26071, dated 2nd August, 1976 the Governor of Haryana, referred the following dispute between the management of M/s Indira Steel, Private Limited, Sector 6, Faridabad and its workman Shri Hari Ram to this Tribunal, for adjudication in exercise of the powers conferred by clause (d) of sub section (1) of section 10 of the Industrial Disputes Act, 1947.—

Whether the termination of services of Shri Hari Ram was justified and in order? If not, to what relief is he entitled?

On receipt of the reference, notices were issued to the parties. The parties appeared and put in their pleadings. The parties had stated that the matter involved in the dispute was similar, hence they should be consolidated in two sets, hence it was done so. References Nos. 156, 157, 158, 160, 161, 162, 163 and 165 to 170 were consolidated in one set, whereas the references Nos. 153, 155, 159, 164, 154, 152 were consolidated in one set. The cases were then fixed for the evidence of the management. On 28th July, 1977, the parties reached a compromise and settled their dispute and made statements before this Tribunal. The management paid a sum of Rs. 390 to the workman concerned in full and final settlement before the Court and the workman concerned received the same. The workman concerned abandoned his claim of reinstatement and re-employment. It was also settled between the parties that the recovery proceedings pending in the Court of the Judicial Magistrate I class, Ballabgarh, shall be with-drawn by the workman concerned and shall be deemed as having been satisfied and that no dispute remained unresolved between the parties. I, therefore, give my award as follows :—

- (1) That the workman concerned has received a sum of Rs 390 in full and final settlement to the dispute.
- (2) That the workman shall have no right to the re-instatement and re-employment with the management.
- (3) That the proceedings of recovery in the Court of the Judicial Megistrate I Class, Ballabgarh shall be with drawn by the workman and that amount shall be deemed as having been received by the workman and his recovery proceedings shall be deemed as satisfied.
- (4) That the termination of services of the workman concerned was justified and in order. He is not entitled to any other relief.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

Dated the 18th August, 1977.

No. 804, dated the 31st August, 1977.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

Dated the 31st August, 1977.

No. 9446-4Lab-77/25503.—In pursuance of the provisions of Section 17 of the Industrial Disputes Act, 1947, (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad in respect of the dispute between the workman and the management of M/s. Indira Steel, Private Limited, Sector-6, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 155 of 1976

between

SHRI RAGHU RAJ WORKMAN AND THE MANAGEMENT OF M/S INDIRA STEEL, PRIVATE
LIMITED, SECTOR-6, FARIDABAD.

Present :—

Shri Sunhari Lal, for the workman.

Shri M. L. Sachdev, and Shri R. K. Aggarwal, Managing Director, for the management.

AWARD

By order No. ID/FD/947-A-76/26089, dated 2nd August, 1976, the Governor of Haryana, referred the following dispute between the management of M/s Indira Steel, Private Limited, Sector-6, Faridabad and its workman Shri Raghu Raj to this Tribunal, for adjudication in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri Raghu Raj was justified and in order? If not, to what relief is he entitled?

On receipt of the reference, notices were issued to the parties. The parties appeared and put in their pleadings. The parties had stated that the matter involved in the dispute was similar, hence they should be consolidated in two sets, hence it was done so. References Nos. 156, 157, 158, 160, 161, 162, 163 and 165 to 170 were consolidated in one set, whereas the references Nos. 153, 155, 159, 164, 154, 152 were consolidated in one set. The cases were then fixed for the evidence of the management. On 28th July, 1977, the parties reached a compromise and settled their dispute and made statements before this Tribunal. The management paid a sum of Rs. 550 to the workman concerned in full and final settlement before the Court and the workman concerned received the same.

The workman concerned abandoned his claim of reinstatement and re-employment. It was also settled between the parties that the recovery proceedings pending in the court of the Judicial Magistrate I Class, Ballabgarh, shall be withdrawn by the workman concerned and shall be deemed as having been satisfied and that no dispute remained unresolved between the parties. I, therefore, give my award as follows :—

- (1) That the workman concerned has received a sum of Rs. 550 in full and final settlement to the dispute.
- (2) That the workman shall have no right to the reinstatement and re-employment with the management.
- (3) That the proceedings of recovery in the Court of the Judicial Magistrate I Class, Ballabgarh shall be withdrawn by the workman and that amount shall be deemed as having been received by the workman and his recovery proceedings shall be deemed as satisfied.
- (4) That the termination of services of the workman concerned was justified and in order. He is not entitled to any other relief.

Dated the 18th August, 1977

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad,

No. 805, dated the 31st August, 1977.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

Dated the 31st August, 1977

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 9428-4Lab-77/25505.—In pursuance of the provisions of Section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana, is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad in respect of the dispute between the workman and the management of M/s. Indira Steel, Private Limited, Sector-6, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 170 of 1976

between

SHRI MAHABIR WORKMAN AND THE MANAGEMENT OF M/S INDIRA STEEL, PRIVATE
LIMITED, SECTOR-6, FARIDABAD

Present :—

Shri Sunhari Lal, for the workman.

Shri M. L. Sachdev and Shri R. K. Aggarwal, Managing Director, for the management.

AWARD

By order No. ID/FD/947-A-76/26155, dated 2nd August, 1976, the Governor of Haryana, referred the following dispute between the management of M/s Indira Steel, Private Limited, Sector-6, Faridabad and its workman Shri Mahabir to this Tribunal, for adjudication in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri Mahabir was justified and in order? If not, to what relief is he entitled?

On receipt of the references, notices were issued to the parties. The parties appeared and put in their pleadings. The parties had stated that the matter involved in the dispute was similar, hence they should be consolidated in two sets, hence it was done so. References Nos. 156, 157, 158, 160, 161, 162, 163 and 165 to 170 were consolidated in one set, whereas the references Nos. 153, 155, 159, 164, 154, 152 were consolidated in one set. The cases were then fixed for the evidence of the management. On 28th July, 1977, the parties reached a compromise and settled their dispute and made statements before this Tribunal. The management paid a sum of Rs 750 to the workman concerned in full and final settlement before the Court and the workman concerned received the same. The workman concerned abandoned his claim of reinstatement and re-employment. It was also settled between the parties that the recovery proceedings pending in the court of the Judicial Magistrate I Class, Ballabgarh, shall be withdrawn by the workman concerned and shall be deemed as having been satisfied and that no dispute remained unresolved between the parties. I, therefore give my award as follows :—

- (1) That the workman concerned has received a sum of Rs 750 in full and final settlement to the dispute.
- (2) That the workman shall have no right to the reinstatement and re-employment with the management.
- (3) That the proceedings of recovery in the court of the Judicial Magistrate I Class, Ballabgarh shall be withdrawn by the workman and that amount shall be deemed as having been received by the workman and his recovery proceedings shall be deemed as satisfied.
- (4) That the termination of services of the workman concerned was justified and in order. He is not entitled to any other relief.

Dated the 18th August, 1977.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 787, dated, the 31st August, 1977.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

Dated the 31st August, 1977.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 9439-4Lab-77/25309.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana, is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad in respect of the dispute between the workman and the management of M/s Indira Steel, Pvt. Ltd. Sector-6, Faridabad.

BEFORE NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL
TRIBUNAL, HARYANA, FARIDABAD

Reference No. 163 of 1976

between

SHRI AMRIK SINGH, WORKMAN AND THE MANAGEMENT OF M/S INDIRA
STEEL, PRIVATE LIMITED, SECTOR-6, FARIDABAD

Present.—

Shri Sunhari Lal, for the workman.

Shri M. L. Sachdev and Shri R. K. Aggarwal, Managing Director, for the management.

AWARD

By order No. ID/FD/947-A-76/26119, dated 2nd August, 1976, the Governor of Haryana, referred the following dispute between the management of M/s Indira Steel Private Limited, Sector-6, Faridabad and its workman Shri Amrik Singh to this Tribunal, for adjudication in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of services of Shri Amrik Singh was justified and in order? If not, to what relief is he entitled?

On receipt of the reference, notices were issued to the parties. The parties appeared and put in their pleadings. The parties had stated that the matter involved in the dispute was similar, hence they should be consolidated in two sets, hence it was done so. References Nos. 156, 157, 158, 160, 161, 162, 163 and 165 to 170 were consolidated in one set, whereas the references Nos. 153, 155, 159, 164, 154, 152, were consolidated in one set. The cases were then fixed for the evidence of the management. On 28th July, 1977, the parties reached a compromise and settled their dispute and made statements before this Tribunal. The management paid a sum of Rs 650 to the workman concerned in full and final settlement before the Court and the workman concerned received the same. The workman concerned abandoned his claim of reinstatement and re-employment. It was also settled between the parties that the recovery proceedings pending in the court of the Judicial Magistrate I Class, Ballabgarh, shall be withdrawn by the workman and concerned shall be deemed as having been satisfied and that no dispute remained unresolved between the parties. I, therefore, give my award as follows:—

- (1) That the workman concerned has received a sum of Rs 650 in full and final settlement to the dispute.
- (2) That the workman shall have no right to the reinstatement and re-employment with the management.
- (3) That the proceedings of recovery in the court of the Judicial Magistrate, I Class, Ballabgarh shall be withdrawn by the workman and that amount shall be deemed as having been received by the workman and his recovery proceedings shall be deemed as satisfied.
- (4) That the termination of services of the workman concerned was justified and in order. He is not entitled to any other relief.

Dated the 18th August, 1977.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 798, dated 31st August, 1977.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

Dated the 31st August, 1977.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 9425-4Lab-77/25511.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following Award given by the Presiding Officer, Industrial Tribunal, Haryana, Faridabad, in respect of the dispute between the workman and the management of M/s. Refractories Pvt. Ltd. N. H. Jaipur Road, P. O. Kherki Daula, Gurgaon.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 260 of 1976

between

SHRI V. N. GOENKA, WORKMAN AND THE MANAGEMENT OF M/S B. T. REFRACTORIES
PRIVATE LTD, N. H. JAIPUR ROAD, P. O. KHERKI DAULA, GURGAON

Present.—

Shri S. K. Yadav, for the workman.

Shri A. D. Kolhatkar, for the management.

AWARD

By order No. ID/GG/216-A-76/46043, dated 17th December, 1976, the Governor of Haryana, referred the following dispute between the management of M/s B. T. Refractories Private Ltd., N. H. Jaipur Road, P. O. Kherki Daula, Gurgaon and its workman Shri V. N. Goenka, to this Tribunal, for adjudication, in exercise of powers conferred clause (d) sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri V. N. Goenka was justified and in order ?
If not, to what relief is he entitled ?

On receipt of the reference notices were issued to the parties. The parties appeared and put in their pleadings. The following issues were framed on 15th April, 1977 :—

- (1) Whether the termination of services of the workman concerned was justified and in order ? If not, to what relief is he entitled ?
- (2) Whether the dispute has been settled before the Conciliation Officer, If so, to what effect ?

The case was fixed for the evidence of the management. Today the representative for the workman made a statement that he withdraws from the reference as he had no instructions from the workman concerned and that the workman was not taking any interest in pursuing his case and has not contacted him despite efforts being made by him.

In view of the statement of the representative for the workman, I gave my award as follows :—

That the termination of services of the workman concerned is justified and in order and he is not entitled to any relief.

NATHU RAM SHARMA,

Dated the 30th August, 1977.

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 784, dated the 31st August, 1977.

Forwarded (four copies), to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Dated the 31st August, 1977.

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 9426-4Lab-77/25513.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana, is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad in respect of the dispute between the workman and the management of M/s Kelvinator of India Ltd., Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL
TRIBUNAL, HARYANA, FARIDABAD

References No. 53 of 1976

between

SHRI RANJIT SINGH, WORKMAN AND THE MANAGEMENT OF M/S KELVINATOR
OF INDIA LIMITED, FARIDABAD

Present.—

Nemo, for the workman.

Shri Jaswant Singh, for the management.

AWARD

By order No. ID/FD/57-E-75/8042, dated 24th February, 1976, the Governor of Haryana, referred the following dispute between the management of M/s Kelvinator of India Limited, Faridabad and its workman Shri Ranjit Singh to this Tribunal for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of the section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri Ranjeet Singh was justified and in order ? If not, to what relief is he entitled ?

On receipt of the reference, notices were issued to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties, the following issues were framed on 25th October, 1976 :—

- (1) Whether the reference is invalid ?
- (2) Whether this Tribunal has no jurisdiction to determine the dispute ?
- (3) Whether the Act of the parties does not amount to an industrial dispute as given in No. 3 preliminary objection ?
- (4) Whether the termination of services of the workman Shri Ranjit Singh was justified and in order ?
- (5) Relief.

The case was fixed for the evidence of the management on 7th December, 1976. On 7th December, 1976 the workman did not appear nor his representative appeared hence the workman were proceeded *ex parte*. The management examined Shri Satish Kumar Batra, Steno, Personnel Department of the management who produced the resignation of the workman concerned which is Ex. M-1 and stated that the resignation was signed by the workman concerned in his presence. The Assistant Personnel Manager recommended the resignation for acceptance and the officer concerned accepted it on 30th September, 1976. He further stated that the management has paid all the dues of the workman concerned amounting to Rs 430.50 out of which a sum of Rs 19.05 was adjusted against advance. He produce a copy of the cash voucher Ex. M-2. He should the original cash voucher to this Court. He identified the signatures of the workman concerned on the cash voucher. I believe in the *ex parte* evidence of the management in absence of the rebuttal by the workman. The management also filed the application alleged to have been signed by the workman concerned in which he had admitted that he was continuously absent unauthorisedly and his name was struck off rightly. The application also witnesses payment of Rs 430.50 to the workman concerned and also abandonment of his claim to reinstatement and re-employment. I, therefore, give my award as follows :—

*That the termination of services of the workman concerned Shri Ranjit Singh was justified and in order he is not entitled to any relief ?

Dated the 18th August, 1977.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 785, dated 31st August, 1977.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

Dated the 31st August, 1977.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 9437-4Lab-77/25515.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana, is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad in respect of the dispute between the workman and the management of M/s Indira Steel Pvt. Ltd., Sector-6, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL
TRIBUNAL, HARYANA, FARIDABAD

Reference No. 161 of 1976

between

SHRI RAM SARAN, WORKMAN AND THE MANAGEMENT OF M/S INDIRA STEEL
PRIVATE LIMITED, SECTOR-6, FARIDABAD

Present.—

Shri Sunhari Lal, for the workman.

Shri M. L. Sachdev and Shri R. K. Aggarwal, Managing Director, for the management.

AWARD

By order No. ID/FD/947-A-76/26053, dated 2nd August, 1976, the Governor of Haryana, referred the following dispute between the management of M/s Indira Steel Private Limited, Sector-6,

Faridabad and its workman Shri Ram Saran, to this Tribunal, for adjudication in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri Ram Saran was justified and in order ? If not, to what relief is he entitled ?

On receipt of the reference, notices were issued to the parties. The parties appeared and put in their pleadings. The parties had stated that the matter involved in the dispute was similar, hence they should be consolidated in two sets, hence it was done so. References Nos. 156, 157, 158, 160, 161, 162, 163 and 165 to 170 were consolidated in one set, whereas the references Nos. 153, 155, 159, 164, 154, 152 were consolidated in one set. The cases were then fixed for the evidence of the management. On 28th July, 1977, the parties reached a compromise and settled their dispute and made statements before this Tribunal. The management paid a sum of Rs 850 to the workman concerned in full and final settlement before the Court and the workman concerned received the same. The workman concerned abandoned his claim of reinstatement and re-employment. It was also settled between the parties that the recovery proceedings pending in the court of the Judicial Magistrate I Class Ballabgarh shall be withdrawn by the workman concerned and shall be deemed as having been satisfied and that no dispute remained unresolved between the parties. I, therefore, give my award as follows :—

- (1) That the workman concerned has received a sum of Rs 850 in full and final settlement to the dispute.
- (2) That the workman shall have no right to the reinstatement and re-employment with the management.
- (3) That the proceeding of recovery in the court of the Judicial Magistrate I Class, Ballabgarh shall be withdrawn by the workman and that amount shall be deemed as having been received by the workman and his recovery proceedings shall be deemed as satisfied.
- (4) That the termination of services of the workman concerned was justified and in order. He is not entitled to any other relief.

NATHU RAM SHARMA,

Dated the 18th August, 1977.

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 796, dated the 31st August, 1977.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Dated the 31st August, 1977.

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 9444-4Lab-77/25517.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad, in respect of the dispute between the workman and the management of M/s Indira Steel, Private Limited, Sector-6, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 169 of 1976

between

SHRI JAGDISH, WORKMAN AND THE MANAGEMENT OF M/S INDIRA STEEL,
PRIVATE LIMITED, SECTOR-6, FARIDABAD

Present.—

Shri Sunhari Lal, for the workman.

Shri M. L. Sachdev and Shri R. K. Aggarwal, Managing Director, for the management.

AWARD

By order No. ID/FD/947-A-76/26101, dated 2nd August, 1976, the Governor of Haryana referred the following disputes between the management of M/s Indira Steel, Private Limited, Sector-6, Faridabad and its workmen Shri Jagdish to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of services of Shri Jagdish was justified and in order ? If not, to what relief is he entitled ?

On receipt of the reference, notices were issued to the parties. The parties appeared and put in their pleadings. The parties had stated that the matter involved in the dispute was similar, hence they should be consolidated in two sets, hence it was done so. References Nos. 156, 157, 158, 160, 161, 162, 163, and 165 to 170 were consolidated in one set, whereas the references Nos. 153, 155, 159, 164, 154, 152 were consolidated in one set. The cases were then fixed for the evidence of the management. On 28th July, 1977, the parties reached a compromise and settled their dispute and made statements before this Tribunal. The management paid a sum of Rs 600 to the workman concerned in full and final settlement before the Court and the workman concerned received the same. The workman concerned abandoned his claim of reinstatement and re-employment. It was also settled between the parties that the recovery proceedings pending in the Court of the Judicial Magistrate, 1st Class, Ballabgarh, shall be withdrawn by the workman concerned and shall be deemed as having been satisfied and that no dispute remained unresolved between the parties. I, therefore, give my award as follows :—

- (1) That the workman concerned has received a sum of Rs. 600 in full and final settlement to the dispute.
- (2) That the workman shall have no right to the reinstatement and re-employment with the management.
- (3) That the proceedings of recovery in the Court of the Judicial Magistrate, 1st Class, Ballabgarh shall be withdrawn by the workman and that amount shall be deemed as having been received by the workman and his recovery proceedings shall be deemed as satisfied.
- (4) That the termination of services of the workman concerned was justified and in order. He is not entitled to any other relief.

The 18th August, 1977.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

— — —
No. 803, dated the 31st August, 1977.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

The 31st August, 1977.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 9443-4Lab-77/25519.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad, in respect of the dispute between the workmen and the management of M/s Indira Steel Private Limited, Sector-6, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA, FARIDABAD

Reference No. 166 of 1976

between

SHRI SURJAN SINGH, WORKMAN AND THE MANAGEMENT OF M/S INDIRA STEEL, PRIVATE LIMITED, SECTOR-6, FARIDABAD

Present :—

Shri Sunhari Lal, for the workman.

Shri M. L. Sachdev and Shri R. K. Aggarwal, Managing Director for the management.

AWARD

By order No. ID/FD/947-A-76/26101, dated 2nd August, 1976, the Governor of Haryana, referred the following dispute between the management of M/s Indira Steel Private Limited, Sector-6, Faridabad and its workman Shri Surjan Singh to this Tribunal, for adjudication in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947.

Whether the termination of services of Shri Surjan Singh was justified and in order? If not, to what relief is he entitled?

On receipt of the reference, notices were issued to the parties. The parties appeared and, put in their pleadings. The parties had stated that the matter involved in the dispute was similar, hence they should be consolidated in two sets, hence was done so. References Nos. 156, 157, 158, 160, 161, 162, 163 and 165 to 170 were consolidated in one set, whereas the reference Nos. 153, 155, 159, 164, 154, 152 were consolidated in one set. The cases were then fixed for the evidence of the management. On 28th July, 1977, the parties reached a compromise and settled their dispute and made statements before this Tribunal. The management paid a sum of Rs. 770 to the workman concerned in full and final settlement before the Court and the workman concerned received the same. The workman concerned abandoned his claim of reinstatement and re-employment. It was also settled between the parties that the recovery proceedings pending in the court of the Judicial Magistrate, I Class, Ballabgarh, shall be withdrawn by the workman concerned and shall be deemed as having been satisfied and that no dispute remained unresolved between the parties. I, therefore, give my award as follows :—

- (1) That the workman concerned has received a sum of Rs. 770 in full and final settlement to the dispute.
- (2) That the workman shall have no right to the reinstatement and re-employment with the management.
- (3) That the proceedings of recovery in the court of the Judicial Magistrate, I Class, Ballabgarh shall be withdrawn by the workman and that amount shall be deemed as having been received by the workman and his recovery proceedings shall be deemed as satisfied.
- (4) That the termination of services of the workman concerned was justified and in order. He is not entitled to any other relief.

The 28th August, 1977.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 802, dated 31st August, 1977.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 9435-4Lab-77/25521.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana, is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad, in respect of the dispute between the workmen and the management of M/s. Indira Steel Private Limited, Sector 6, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL
TRIBUNAL, HARYANA, FARIDABAD

Reference No. 154 of 1976

between

SHRI DAL CHAND, WORKMAN AND THE MANAGEMENT OF M/S INDIRA
STEEL, PRIVATE LIMITED, SECTOR-6, FARIDABAD

Present.—

Shri Sunhari Lal, for the workman.

Shri M. L. Suchdev and Shri R. K. Aggarwal, Managing Director, for the
management

AWARD

By order No. ID/ED/947-A-76:26149, dated 2nd August, 1976 the Governor of Haryana, referred the following dispute between the management of M/s Indira Steel, Private Limited, Sector-6, Faridabad and its workman Shri Dal Chand to this Tribunal, for adjudication in exercise of the powers conferred by clause (d) of sub-section (1) of section (10) of the Industrial Disputes Act, 1947.

Whether the termination of services of Shri Dal Chand was justified and in order? If not, to what relief is he entitled?

On receipt the reference, notices were issued to the parties. The parties appeared and put in their pleadings. The parties had stated that the matter involved in the dispute was similar, hence they should be consolidated in two sets, hence it was done so. Reference Nos. 156, 157, 158, 160, 161, 162, 163 and 165 to 170 were consolidated in one set, whereas the references Nos. 153, 155, 159, 164, 154, 152 were consolidated in one set. The cases were then fixed for the evidence of the management. On 28th July, 1977, the parties reached a compromise and settled their dispute and made statements before this Tribunal. The management paid a sum of Rs. 700 to the workman concerned in full and final settlement before the Court and the workman concerned received the same. The workman concerned abandoned his claim of reinstatement and re-employment. It was also settled between the parties that the recovery proceedings pending in the court of the Judicial Magistrate, 1 Class, Ballabgarh, shall be withdrawn by the workman concerned and shall be deemed as having been satisfied and that no dispute remained unresolved between the parties. I, therefore, give my award as follows:—

- (1) That the workman concerned has received a sum of Rs. 700 in full and final settlement to the dispute.
- (2) That the workman shall have no right to the reinstatement and re-employment with the management.
- (3) That the proceedings of recovery in the court of the Judicial Magistrate, 1st Class, Ballabgarh shall be withdrawn by the workman and that amount shall be deemed as having been received by the workman and his recovery proceedings shall be deemed as satisfied.
- (4) That the termination of services of the workman concerned was justified and in order. He is not entitled to any other relief.

The 18th April, 1977.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 794, dated the 31st August, 1977.

Forwarded, (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

The 31st August, 1977.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 9430-4Lab-77:25523. —In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad, in respect of the dispute between the workmen and the management of M/s Indira Steel, Private Limited, Sector-6, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL
TRIBUNAL, HARYANA, FARIDABAD

Reference No. 160 of 1976

between

SHRI RAM KISHAN, WORKMAN AND THE MANAGEMENT OF M/S. INDIRA
STEEL, PRIVATE LIMITED, SECTOR-6, FARIDABAD

Present.—

Shri Sunhari Lal, for the workman.

Shri M. L. Suchdev and Shri R. K. Aggarwal, Managing Director, for the management.

AWARD

By order No. ID/FD/947-A-76/76059, dated 2nd August, 1976 the Governor of Haryana referred the following dispute between the management of M/s Indira Steel, Private Limited, Sector-6, Faridabad and its workman Shri Ram Kishan to this Tribunal, for adjudication in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947.

Whether the termination of services of Shri Ram Kishan was justified and in order? If not, to what relief is he entitled?

On receipt of this reference, notices were issued to the parties. The parties appeared and put in their pleadings. The parties had stated that the matter involved in the dispute was similar, hence they should be consolidated in two sets, hence it is done so. References Nos. 156, 157, 158, 160, 161, 162, 163 and 165 to 170 were consolidated in one set, whereas the references Nos. 153, 155, 159, 164, 154, 152 were consolidated in one set. The cases were then fixed for the evidence of the management. On 28th July, 1977, the parties reached a compromise and settled their dispute and made statements before this Tribunal. The management paid a sum of Rs. 820 to the workman concerned in full and final settlement before the Court and the workman concerned received the same. The workman concerned abandoned his claim of reinstatement and re-employment. It was also settled between the parties that the recovery proceedings pending in the court of the Judicial Magistrate, 1st Class, Ballabgarh, shall be withdrawn by the workman concerned and shall be deemed as having been satisfied and that no dispute remained unresolved between the parties. I, therefore, give my award as following : -

- (1) That the workman concerned has received a sum of Rs. 820 in full and final settlement to the dispute.
- (2) That the workman shall have no right to the reinstatement and re-employment with the management.
- (3) That the proceedings of recovery in the court of the Judicial Magistrate, 1st Class, Ballabgarh shall be withdrawn by the workman and that amount shall be deemed as having been received by the workman and his recovery proceedings shall be deemed as satisfied.
- (4) That the termination of services of the workman concerned was justified and in order. He is not entitled to any other relief.

The 18th August, 1977

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 797, dated the 31st August, 1977.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

The 31st August, 1977

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 9436-4Lab-77/25525.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad in respect of the dispute between the workman and the management of M/s Indira Steel Pvt. Ltd., Sector 6, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 165 of 1976

between

SHRI DAULAT RAM, WORKMAN AND THE MANAGEMENT OF M/S INDIRA STEEL,
PRIVATE LIMITED, SECTOR 6, FARIDABAD

Present—

Shri Sunhari Lel, for the workman.

Shri M. L. Sachdev and Shri R. K. Aggarwal, Managing Director, for the management.

AWARD

By order No. ID/FD/947-A-76/26107, dated 2nd August, 1976 the Governor of Haryana, referred the following dispute between the management of M/s. Indira Steel, Private Limited, Sector 6, Faridabad and its workman Shri Daulat Ram to this tribunal, for adjudication in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Dispute Act, 1947.

Whether the termination of services of Shri Daulat Ram was justified and in order ? If not, to what relief is he entitled ?

On receipt of the reference, notices were issued to the parties. The parties appeared and put in their pleadings. The parties had stated that the matter involved in the dispute was similar, hence they should be consolidated in two sets, hence it was done so. References Nos. 156, 157, 158, 160, 161, 162, 163 and 165 to 170 were consolidated in one set, whereas the references Nos. 153, 155, 152, 164, 154, 152 were consolidated in one set. The cases were then fixed for the evidence of the management. On 28th July, 1977, the parties reached a compromise and settled their dispute and made statements before this Tribunal. The management paid a sum of Rs 760 to the workman concerned in full and final settlement before the Court and the workman concerned received the same. The workman concerned abandoned his claim of reinstatement and reemployment. It was also settled between the parties that the recovery proceedings pending in the court of the Judicial Magistrate, 1st Class, Ballabgarh, shall be withdrawn by the workman concerned and shall be deemed as having been satisfied and that no dispute remained unresolved between the parties. I, therefore, give my award as follows :—

- (1) That the workman concerned has received a sum of Rs 750 in full and final settlement to the dispute.
- (2) That the workman shall have no right to the reinstatement and reemployment with the management.
- (3) That the proceedings of recovery in the court of the Judicial Magistrate, 1st Class, Ballabgarh shall be withdrawn by the workman and that amount shall be deemed as having been received by the workman and his recovery proceedings shall be deemed as satisfied.
- (4) That the termination of services of the workman concerned was justified and in order. He is not entitled to any other relief.

The 18th August, 1977.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

Endorsement No. 795, dated the 31st August, 1977.

Forwarded (four copies) to the Secretary to Government, Haryana Labour and Employment Departments, Chandigarh, as required under Section 15 of the Industrial Disputes Act, 1947.

The 31st August, 1977.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal Haryana,
Faridabad.

No. 9429-4L ab-77/25527.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award given by the Presiding Officer, Industrial Tribunal, Haryana, Faridabad in respect of the dispute between the workman and the management of M/s. Indira Steel, Private Limited, Sector 6, Faridabad.

**BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL
HARYANA, FARIDABAD**

Reference No. 168 of 1976

between

**SHRI AMAR PAL, WORKMAN AND THE MANAGEMENT OF M/S INDIRA STEEL,
PRIVATE LIMITED, SECTOR 6, FARIDALAD**

Present —

Shri Sunhari Lal, for the workman.

Shri M. L. Sachdev and Shri R. K. Aggarwal, Managing Director, for the management.

AWARD

By order No. ID/FD/947-A-76/26131, dated 2nd August, 1976 the Governor of Haryana, referred the following dispute between the management of M/s. Indira Steel, Private Limited, Sector 6, Faridabad and its workman Shri Amar Pal to this Tribunal, for adjudication in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial disputes Act, 1947 :—

Whether the termination of services of Shri Amar Pal was justified and in order? If not, to what relief is he entitled?

On receipt of the reference, notices were issued to the parties. The parties appeared and put in their pleadings. The parties has stated that the matter involved in the dispute was similar, hence they should be consolidated in two sets, hence it was done so. References Nos. 156, 157, 158, 160, 161, 162, 163 and 165 to 170 were consolidated in one set, whereas the references Nos. 153, 155, 159, 164, 154, 152, were consolidated in one set. The cases were then fixed for the evidence of the management. On 28th July, 1977 the parties reached a compromise and settled their dispute and made statements before this Tribunal. The management paid a sum of Rs 750 to the workman concerned in full and final settlement before the Court and the workman concerned received the same. The workman concerned abandoned his claim of reinstatement and re-employment. It was also settled between the parties that the recovery proceedings pending in the Court of the Judicial Magistrate 1st Class, Ballabgarh, shall be withdrawn by the workman concerned and shall be deemed as having been satisfied and that no dispute remained unresolved between the parties. I, therefore, give my award as follows :—

- (1) That the workman concerned has received a sum of Rs 750 in full and final settlement to the dispute.
- (2) That the workman shall have no right to the reinstatement and re-employment with the management.
- (3) That the proceedings of recovery in the Court of the Judicial Magistrate 1st Class, Ballabgarh shall be withdrawn by the workman and that amount shall be deemed as having been received by the workman and his recovery proceedings shall be deemed as satisfied.
- (4) That the termination of services of the workman concerned was justified and in order. He is not entitled to any other relief.

Dated the 18th August, 1977.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal Haryana,
Faridabad.

Endorsement No. 788, dated the 31st August, 1977

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

Dated the 31st August, 1977.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal Haryana,
Faridabad.

No. 9441-4Lab-77/25529.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad in respect of the dispute between the workman and the management of M/s Indira Steel, Private Limited, Sector-6, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL
TRIBUNAL, HARYANA, FARIDABAD

Reference No. 167 of 1976
between

SHRI HARI CHAND, WORKMAN AND THE MANAGEMENT OF M/S INDIRA STEEL
PRIVATE LIMITED, SECTOR-6, FARIDABAD

Present :—

Shri Sunhari Lal, for the workman.

Shri M. L. Sachdev and Shri R. K. Aggarwal, Managing Director, for the management.

AWARD

By order No. ID/FD/947-A-76/26095, dated 2nd August, 1976, the Governor of Haryana, referred the following dispute between the management of M/s. Indira Steel, Private Limited, Sector-6, Faridabad and its workman Shri Hari Chand to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri Hari Chand was justified and in order ?
If not, to what relief is he entitled ?

On receipt of the reference, notices were issued to the parties. The parties appeared and put in their pleadings. The parties had stated that the matter involved in the dispute was similar, hence they should be consolidated in two sets, hence it was done so. References Nos. 156, 157, 158, 160, 161, 162, 16 and 165 to 170 were consolidated in one set, whereas the references Nos. 153, 155, 159, 14, 154, 152 were consolidated in one set. The cases were then fixed for the evidence of the management. On 28th July, 1977, the parties reached a compromise and settled their dispute and made statements before this Tribunal. The management paid a sum of Rs. 550 to the workman concerned in full and final settlement before the Court and the workman concerned received the same. The workman concerned abandoned his claim of reinstatement and re-employment. It was also settled between the parties that the recovery proceedings pending in the court of the Judicial Magistrate I class, Ballabgarh, shall be withdrawn by the workman concerned and shall be deemed as having been satisfied and that no dispute remained unresolved between the parties, I, therefore, give my award as follows:—

- (1) That the workman concerned has received a sum of Rs. 550 in full and final settlement to the dispute.
- (2) That the workman shall have no right to the reinstatement and re-employment with the management.
- (3) That the proceedings of recovery in the court of the Judicial Magistrate I class, Ballabgarh shall be with-drawn by the workman and that amount shall be deemed as having been received by the workman and his recovery proceedings shall be deemed as satisfied.
- (4) That the termination of services of the workman concerned was justified and in order. He is not entitled to any other relief.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

Dated the 18th August, 1977.

No. 800, dated the 31st August, 1977.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

Dated the 31st August, 1977.

The 23rd September, 1977

No. 9432-4Lab-77/25507.—In pursuance of the provisions of section 17 of the Industrial disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana, is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad in respect of the dispute between the workman and the management of M/s Indira Steel Private Limited, Sector-6, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD.

Reference No. 159 of 1976

between

SHRI CHET RAM WORKMAN AND THE MANAGEMENT OF M/S INDIRA STEEL,
PRIVATE LIMITED, SECTOR-6, FARIDABAD.

Present.—

Shri Sunhari Lal, for the workman.

Shri M. L. Sachdev and Shri R. K. Aggarwal, Managing Director, for the management.

AWARD

By order No. ID/FD/947-A-76/26065 dated the 2nd August, 1976 the Governor of Haryana, referred the following dispute between the management of M/s Indira Steel, Private Limited, Sector-6, Faridabad and its workman Shri Chet Ram, to this Tribunal, for adjudication in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri Chet Ram was justified and in order ? If not, to what relief is he entitled ?

On receipt of the reference, notices were issued to the parties. The parties appeared and put in their pleadings. The parties had stated that the matter involved in the dispute was similar, hence they should be consolidated in two sets, hence it was done so. Reference Nos. 156, 157, 158, 160, 161, 162, 163 and 165 to 170 were consolidated in one set, whereas the references Nos. 153, 155, 159, 164, 154, 152 were consolidated in one set. The cases were then fixed for the evidence of the management. On 28th July, 1977, the parties reached a compromise and settled their dispute and made statements before this Tribunal. The management paid a sum of Rs. 900 to the workman concerned in full and final settlement before the Court and the workman concerned received the same. The workman concerned abandoned his claim of reinstatement and re-employment. It was also settled between the parties that the recovery proceedings pending in the court of the Judicial Magistrate Ist Class, Ballabgarh, shall be withdrawn by the workman concerned and shall be deemed as having been satisfied and that no dispute remained unresolved between the parties. I, therefore, give my award as follows :—

- (1) That the workman concerned has received a sum of Rs. 900 in full and final settlement to the dispute.
- (2) That the workman shall have no right to the reinstatement and re-employment with the the management.
- (3) That the proceedings of recovery in the court of the Judicial Magistrate I Class, Ballabgarh shall be withdrawn by the workman and that amount shall be deemed as having been received by the workman and his recovery proceedings shall be deemed as satisfied.
- (4) That the termination of services of the workman concerned was justified and in order. He is not entitled to any other relief.

Dated the 18th August, 1977.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 791, dated the 31st August, 1977

Forwarded (four copies) to the Secretary to Government Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

Dated the 31st August, 1977.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

The 26th September, 1977

No. 10155-4Lab-77/25743.—In pursuance of the provisions of section 17 of the Industrial disputes Act, 1947, (Act No. XIV of 1947), the Governor of Haryana, is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the management of M/s. Premier Auto Industries Faridabad.

BEFORE SHRI MANMOHAN LAL JAIN, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK.

Reference No. 65 of 1977

between

SHRI HARISH CHANDER WORKMAN AND THE MANAGEMENT OF M/S PREMIER
AUTO INDUSTRIES, FARIDABAD.

AWARD

By order No. ID/FD/77/23413, dated 16th June, 1977 the Governor of Haryana referred the following dispute between the management of M/s. Premier Auto Industries Faridabad and its workman Shri Harish Chander to this Court for adjudication, in exercise of the powers conferred by clause (c) of sub-section 1 of section 10 of the industrial disputes Act, 1947:—

Whether the termination of services of Shri Harish Chander was justified and in order? If not, to what relief is he entitled?

Neither the workman nor the management put in their appearance in this Court on 14th September, 1977 the date of hearing fixed in the case, despite due service or notices of reference sent to them. The absence of the parties in the Court under the circumstances leads to a conclusion beyond doubt that the workman is not interested in pursuing the demand raised by him on the management and that there is now no dispute between the parties requiring adjudication. I, hold accordingly and answer the reference while turning the award in these terms.

MOHAN LAL JAIN,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

The 15th September, 1977.

No. 1983, dated 21st September, 1977.

Forwarded (four copies) to the Secretary to Government Haryana, Labour and Employment Department's Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

MOHAN LAL JAIN,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 10154-4Lab-77/25745.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the management of M/s. Haryana Mineral Marbles Factory Narnaul.

BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK.

Reference No. 90 of 1977

between

SHRI ROHTASH SINGH WORKMAN AND THE MANAGEMENT OF M/S. HARYANA MINERAL MARBLES FACTORY, NARNAUL.

AWARD

By order No. ID/GG-222-E-77 26554, dated 18th July, 1977. The Governor of Haryana, referred the following dispute between the management of M/s. Haryana Mineral Marbles Factory, Narnaul and its workman Shri Rohtash Singh, to this Court for adjudication, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of services of Shri Rohtash Singh was justified and in order? If not, to what relief is he entitled?

Whereas the workman put in his appearance through Shri S. K. Yadav before me in this Court at Charkhi Dadri on 29th August, 1977 the date of hearing fixed in the reference, the management failed to appear on that date despite such service with the result that *ex parte* proceedings were taken up against them on that date and the workman was directed to adduce his *ex parte* evidence.

Shri Rohtash Singh workman appearing as his own witness in *ex parte* evidence deposed that he joined services of the management concerned as a driver on 14th January, 1975 on wages of Rs 384 P. M. and that he later terminated his services with effect from 1st November, 1976

without serving on him any charge sheet and without holding any enquiry against him and that he was entitled to reinstatement with continuity of service and full back wages.

I, see no reasons to disbelieve the statement of the workman concerned particularly when the management have taken no care to defend the demand raised on them by the workman or to rebut the statement of the later.

I, therefore fully relying on the *ex parte* statement of the workman hold that the management terminated his services with effect from 1st November, 1976 without justification and that he is legally entitled to reinstatement with continuity of service and full back wages. I, accordingly answer the reference while returning the award in these terms.

MOHAN LAL JAIN,

Dated the 15th September, 1977

Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 1982, dated the 21st September 1977

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

MOHAN LAL JAIN,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

The 28th September, 1977

No. 10228-4Lab-77/26067.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana, is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad, in respect of the dispute between the workmen and the management of M/s. Suman Engineering Works, Sector 24, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD.

Reference No. 66 of 1977

between

SHRI RAM PARSHAD WORKMAN AND THE MANAGEMENT OF M/S SUMAN
ENGINEERING WORKS, SECTOR, 24, FARIDABAD.

Present.—

Shri Onkar Parshad, for the workman.

Shri Ram Sarup Arora, for the management.

AWARD

By order No. ID/FD/183-77/22381, dated 8th June, 1977, the Governor of Haryana, referred the following dispute between the management of M/s Suman Engineering works, Sector-24, Faridabad and its workman Shri Ram Parshad, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri Ram Parshad was justified and in order ? If not, to what relief is he entitled ?

On receipt of the order of reference, notices were issued to the parties. Notices had been served. The management made an application that the name of the workman concerned is not Ram Parshad. No such person as Ram Parshad was in their employment. Thereupon the representative of the workman stated that the name of the workman concerned is Ram Partap and not Ram

Parshad and it was an error in type writing that the name of the workman has been mentioned as Ram Parshad. The representative of the workman stated that this clerical error in type writing can be rectified by the Tribunal. He wanted to argue on this point. The representative of the workman was told to bring some case law on the point and the case was fixed for arguments on 19th August, 1977. On 19th August, 1977, the representative for the workman did not cite any case law, rather argued that the Tribunal had, *vide* powers and could rectify such errors.

I was not convinced with the arguments of the representative for the workman. I can not substitute any other name of the workman concerned then the name given in the order of reference. I, therefore, return the reference answering it that the name of the workman concerned is not Ram Parshad and therefore no adjudication or award is possible regarding termination of services of Shri Ram Parshad. However, the workman shall have his right quite safe for moving the Government or referring the matter again describing the name of the workman concerned correctly.

Dated the 13th September, 1977

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 869, dated the 19th September, 1977

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

Dated the 19th September, 1977

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 10229-4Lab-77/26087.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana Faridabad, in respect of the dispute between the workmen and the management of M/s U. Kay Builders Pvt., Ltd. 23/4, Mathura Road, Ballabgarh.

BEFORE SHRI NTAHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 57 of 1977

between

THE WORKMEN AND THE MANAGEMENT OF M/S U. KAY BUILDERS PVT., LTD.,
23/4, MATHURA ROAD, BALLABGARH

Present—

Neither party present.

AWARD

By order No. ID/FD/2074-B-77/26813, dated the 26th May, 1977, the Governor of Haryana, referred the following dispute between the management of M/s U. Kay Builders Private Ltd., 23/4, Mathura Road, Ballabgarh and its workmen to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947.

1. Whether the workmen are entitled to the grant of bonus for the year, 1975-76? If so, with what details?
2. Whether the grades and scales of pay of the workmen should be fixed? If so, with what details?

On receipt of the order of reference, notices were sent to the parties. The notices were not served. Again notices were sent through Registered A.D. Notice to both the parties have been served but none appeared. It was a case of dismissal in default. The workmen did not take any interest in

pursuing their dispute as none appeared for and on behalf of them. I, therefore, give my award as follows :—

That the workmen are not entitled to the grant of bonus for the year, 1975-76.

That the grades and scales of pay of the workmen should not be fixed.

NATHU RAM SHARMA,

Dated the 13th September, 1977

Presiding Officer
Industrial Tribunal, Haryana,
Faridabad.

No. 867, date the 19th September, 1977

Forwarded (four copies) to the Secretary to Government Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Dated the 19th September, 1977

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 10219-Lab-77/26093.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana, is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad in respect of the dispute between the workman and the management of M/s R. B. Engineering and Proficient Industries, 16/78-A, N.I.T., Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD.

Reference No. 188 of 1973

between

SHRI PURAN CHAND, WORKMAN AND THE MANAGEMENT OF M/S R. B.
ENGINEERING AND PROFICIENT INDUSTRIES, 16/78 A, N.I.T., FARIDABAD

Present —

Nemo, for the workman.

Shri H. R. Dua, for the management.

AWARD

By order No. ID/FD/73/422/45083, dated the 29th November, 1973, the Governor of Haryana, referred the following dispute between the management of M/s R.B. Engineering and Proficient Industries, 16/78 A, N.I.T., Faridabad and its workman Shri Puran Chand, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) sub-section (1) of section 10 of the Industrial Disputes Act, 1947.

Whether the termination of services of Shri Puran Chand is justified and in order ? If not, to what relief is he entitled ?

On receipt of the reference notices were issued to the parties. The parties appeared and put in their pleadings. On the pleadings of the parties, the following issues were framed by my learned proprocessor on 12th September, 1974.

- (1) Whether the reference is bad in law for wrong description of the management ?
- (2) Whether the demand, the subject matter of the present reference, was first raised on the management and rejected by it before taking up the matter for conciliation ? If not, with what effect ?

- (3) Whether the termination of services of Shri Puran Chand is justified and in order ?
If not, to what relief is he entitled ?

The case was fixed for the evidence. The management has examined only one witness as M.W. 1. Thereafter on 12th October, 1976 the workman was absent and *ex parte* proceedings were ordered against him. On an application made by the workman for setting aside *ex parte* proceedings, *ex parte* proceedings were set aside and then the case was fixed for the evidence of the workman. At this stage the representative for the management produce a receipt on 1st August, 1977 stating that the workman has received all his dues in full and final settlement of all his claim. The case was then fixed for today for the appearance of the workman concerned for ascertaining the factum of the said receipt. Today neither the workman appeared nor his representative. The representative for the management made a statement that the workman has received all his dues and had settled the dispute with the management and that there was no dispute now between the parties. In the light of the aforesaid circumstances, I give my award as follows :-

“That there is no dispute between the parties and that the termination of services of the workman concerned Shri Puran Chand was justified and in order. He is not entitled to any relief.”

NATHU RAM SHARMA,

Dated the 8th September, 1977

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 873, dated the 19th September, 1977

Forwarded, (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

Dated the 19th September, 1977

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

G. V. GUPTA, Secy.